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February 4, 2005

Mail Stop IDS Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

> U.S. Patent Application No. 10/684,023 Re:

> > Filed: October 10, 2003

Entitled: System and Method For Assessment of Health Risks and

Visualization of Weight Loss and Muscle Gain

Inventors: Mario J. Bravomalo and Russ Edward Brucks

Our File No.: 29471.4

Dear Sir or Madam:

Enclosed for filing are the following documents:

- 1. IDS Transmittal (1 sheet);
- Information Disclosure Statement Form PTO/SB/08A and B (2 sheets); 2.
- Copies of cited non-patent references listed on Form PTO/SB/08B (6 References) 3. (20 sheets); and
- 4. Acknowledgment Post Card.

It is believed that no fees should be necessary with this filing; however, the Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to Deposit Account No. 03-3483.

Respectfully submitted,

Court & allen

Courtenay B. Allen Reg. No. 43,469

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CBA/klb Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

E APPLICATION OF: § Mario J. Bravomalo and **Russ Edward Brucks**

§ § § **GROUP ART UNIT: 2621**

ATTY DKT NO.: 29471.4

SERIAL NO.: 10/684,023 FILED: October 10, 2003

EXAMINER: Not assigned

TITLE: System and Method For Assessment of Health Risks and Visualization of Weight §

Loss and Muscle Gain

Mail Stop IDS--NO FEE Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a First Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: 2-4-2005

Courtenay B. Allen, Reg. No. 43,469

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Les all	Substitute for form 1449A/PTO				Complete if Known		
CALENI O TRAIN					Application Number	10/684,023	
	INFORMA	TION DISC	T.	OSURE	Filing Date	October 10, 2003	
					First Named Inventor	Bravomalo, Mario J.	
	STATEME	NI BY AP.	PLJ	CANI	Art Unit	2621	
					Examiner Name	not assigned	
	(use as	many sheets as no	cessa	шу)			
	Sheet	1	of	2	Attorney Docket Number	29471.4	

		U.S. P	PATENT DOCUM	MENTS	
Examiner Initials*	Cite No. ¹	<u>Document Number</u> Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	Al	4602280	07-22-1986	Maloomian	
	A2	5687259	11-11-1997	Linford.	
	A3	5825941	10-20-1998	Linford.	
•	A4	5854850	12-29-1998	Linford.	
	A5	5963214	10-05-1999	Cok.	
	A6	5982949	11-09-1999	Ohtsuka.	
	A7	5986671	11-16-1999	Fredlund.	
	A8	6095949	08-01-2000	Arai	
	A9	6336136	01-01-2002	Harris	
	A10	6348923	02-19-2002	Murata	

	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ³ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Te

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Substitute for for	m 1449A/PTO		Complete if Known		
			Application Number	10/684,023	
INFORM	TATION DIS	CLOSURE	Filing Date	October 10, 2003	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			First Named Inventor	Bravomalo, Mario J.	
			Art Unit	2621	
			Examiner Name	not assigned	
(u:	se as many sheets as n	ecessary)			
Sheet	2	of 2	Attorney Docket Number	29471.4	

		OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), TITLE OF THE ARTICLE (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
	A11	EFIT, Efit MorphOver, Apr. 10, 2000, pp. 1-2, http://www./efit.com/morphover/	a .
	A12	Sound Feelings, Slim Photo Fitness Motivation Tool, Apr. 10, 2000, pp. 1-4, http://www.soundfeelingsnative medicine/weight loss/fitness.htm	
	A13	THE CLEVELAND CLINIC. Weight Cycling, March 2002, pp. 1-2, http://my.webmd.com/medical_information/condition_centers/weight_control/default.htm	
	A14	ADAMI, HANS-OLOV AND TRICHOPOULOS, DIMITRIOS. Obesity and Mortality from Cancer, The New England Journal of Medicine, April 24, 2003, pp. 1623-1624, Vol. 348:17, www.nejm.org.	
	A15	DENOON, DANIEL. Beginner Workout Tip: Smash the Mirror, June 2003, pp. 1-2, http://my.webmd.com/content/Article/72/81520.htm	
	A16	BERKLEY, CHERIE. The Higher Cost of Heavier Employees, Jul. 30, 2003, pp. 1-2, http://my.webmd.com/content/Article/71/81439.htm	
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